

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

July 30, 2019
BCO-101

No. 19-8029

JOHN J. CUNNINGHAM; DAVID CIUFFETELLI;
BENJAMIN DIDONATO; JOHN RUCKI, JR.

v.

WAWA, INC.; RETIREMENT PLANS COMMITTEE OF WAWA, INC.; JARED G.
CULOTTA; MICHAEL J. ECKHARDT; JAMES MOREY; CATHERINE PULOS;
HOWARD B. STOECKEL; DOROTHY SWARTZ; RICHARD D. WOOD, JR.; KEVIN
WIGGINS; CHRISTOPHER D. WRIGHT

WAWA, INC. EMPLOYEE STOCK OWNERSHIP PLAN, Nominal Defendant

Wawa, Inc.; Retirement Plans Committee of Wawa, Inc.; Jared G. Culotta;
Michael J. Eckhardt; James Morey; Catherine Pulos; Howard B. Stoeckel;
Dorothy Swartz; Richard D. Wood, Jr.; Kevin Wiggins; Christopher D. Wright,
Petitioners

(E.D. Pa. No. 2-18-cv-03355)

Present: AMBRO, KRAUSE and PORTER, Circuit Judges

1. Petition for Leave to Appeal the July 2, 2019 order granting class certification pursuant to Fed. R. Civ. P. 23(f);
2. Response by Respondents in Opposition;
3. Motion for leave to file a Reply to Response in Opposition to Petition for Leave to Appeal Pursuant to Fed. R. Civ. P. 23(f);
4. Response filed by Respondents David Ciuffetelli, John J. Cunningham, Benjamin Didonato and John Rucki, Jr. to motion to file response/reply.

Respectfully,

FILED

AUG 13 2019

KATE BARKMAN, Clerk
By _____ Dep. Clerk

Clerk/CJG

ORDER

The foregoing Petition for Leave to Appeal Pursuant to Fed. R. Civ. P. 23 (f) is granted. The Motion for Leave to File a Reply to Response in Opposition to Petition for Leave to Appeal Pursuant to Fed. R. Civ. P. 23 (f) and Response to motion to file response/reply is denied as moot.

By the Court,

s/ David J. Porter
Circuit Judge

Dated: August 13, 2019
Lmr/cc: Gary L. Azorsky
Robert J. Barton
Richard E. Donahoo
Colin M. Downes
Daniel Feinberg
Raymond M. Sarola
Nina Wasow
Michael E. Kenneally
Brian T. Ortelere
Christopher M. Varano



A True Copy:

Patricia S. Dodszeit

Patricia S. Dodszeit, Clerk